



County Administrative Office
COUNTY OF TULARE
AGENDA ITEM

BOARD OF SUPERVISORS

ALLEN ISHIDA
District One

CONNIE CONWAY
District Two

PHILLIP A. COX
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: March 31, 2009

Public Hearing Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Resolution, Ordinance or Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>	N/A	<input type="checkbox"/>

CONTACT PERSON: Paul Guerrero PHONE: 559-636-5005

SUBJECT: Amendment to Agreement No. 22970 between the County of Tulare and Jay W. Powell for Conflict Public Defender Services.

REQUEST(S):

That the Board of Supervisors:

1. Approve an amendment to cancel the Cost Of Living Adjustment (COLA) scheduled to take effect July 1, 2009 to Agreement No. 22970 between the County of Tulare and Jay W. Powell for Conflict Public Defender Services.
2. Authorize the Chairman of the Board to sign the amendment to agreement.

SUMMARY:

The County currently contracts with Jay Powell, Attorney at Law, to provide defender services in cases in which the Court finds that there is a conflict of interest or other reason that excludes the Public Defender from representing a person entitled to assigned counsel.

The Conflict Public Defender is set to receive a COLA set forth in paragraph 13 of Tulare County Agreement No. 22970 that is scheduled to take effect on July 1, 2009. Due to current economic conditions in Tulare County the Conflict Public Defender would like to cancel the COLA increase for FY 2009/2010.

SUBJECT: Amendment to Agreement No. 22970 between the County of Tulare and Jay W. Powell for Conflict Defender Services

DATE: November 18, 2008

FISCAL IMPACT/FINANCING:

The amendment saves the County \$22,914.60 annually for each one percent increase in the Consumer Price Index by cancelling the COLA scheduled on July 1, 2009 for FY 2009/2010.

ALTERNATIVES:

The Board could choose to take no action or not approve this contract amendment, but this is not recommended because both actions would result in increased cost to the County.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

This request is consistent with the County's objective in the County's five-year strategic business plan, which includes the Organizational Performance Initiative - to improve organizational effectiveness and fiscal stability. It is imperative that we continually evaluate the costs of our departments and the organization as a whole in order to help improve cost effectiveness and the delivery of service to our constituents.

INVOLVEMENT OF OTHER DEPARTMENTS OR AGENCIES:

County Counsel has reviewed the amendment to agreement.

ADMINISTRATIVE SIGN-OFF:

Paul Guerrero
Budget Analyst

Cc: Auditor/Controller
County Counsel
County Administrative Office

Attachment(s)
Amendment to Agreement

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF AMENDMENT TO)
AGREEMENT NO. 22970 BETWEEN)
THE COUNTY OF TULARE AND JAY)
W. POWELL FOR CONFLICT PUBLIC)
DEFENDER SERVICES)

RESOLUTION NO. _____
AGREEMENT NO. _____

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: JEAN M. ROUSSEAU
COUNTY ADMINISTRATIVE OFFICER
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

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2. Authorized the Chairman of the Board to sign the amendment to agreement.